

COURT'S COPY

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U.S. DISTRICT COURT
N.D. OF ALABAMA

1983 Form

In the United States District Court **FILED**
For the Northern District of Alabama

SEP 30 A 11:14
U.S. DISTRICT COURT
N.D. OF ALABAMA~~RICKEY JOHNSON, AIS#178913~~

CV-16-NA-1610-S

(Enter above the full name(s) of the
plaintiff(s) in this action)

v

OFFICER GARY

OFFICER IRWIN

OFFICER REED , ET AL. ,

(Enter above full name(s) of the
defendant(s) in this action)

I. Previous lawsuits

- A. Have you begun other lawsuits in state or federal court(s) dealing with the same facts involved in this action or otherwise relating to your imprisonment? yes () No **XXX**
- B. If your answer to A. is "yes", describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuit(s) on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit

Plaintiff(s): **N/A**

Defendant(s)

2. Court (if Federal Court, name the district; if State Court, name the county)

3. Docket Number

4. Name of judge to whom case was assigned

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

6. Approximate date of filing lawsuit _____

7. Approximate date of disposition _____

II. Place of present confinement W. E. DONALDSON CORR. FAC. B-2
100 Warrior Lane Bessemer, Alabama 35023

A. Is there a prisoner grievance procedure in this institution?

Yes () No (~~xxx~~)

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes () No ()

C. If your answer is YES:

1. What steps did you take? There is not a grievance procedural

within ADOC. However, I did speak with Captian Baldwin
and Warden Bolling about the incident.

2. What was the result? _____

They both advised me that they would look into my
complaint.

D. If your answer is NO, explain why not? There is not a grievance pro-

cedural within ADOC. However, I spoke with Captian Baldwin

and Warden Bolling about the incident and they both said

they would look into my complaint.

III. Parties

In item A below, place your name(s) in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.

A. Name of plaintiff(s) RICKEY JOHNSON, AIS# 178913

W.E. DONALDSON CORR. FAC. B-2 100 WARRIOR LANE BESSEMER, ALA.
35023

Address _____

In item B. below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item C for the names, positions, and places of employment of any additional defendants.

B. Defendant OFFICER GARY

is employed as CORRECTIONAL OFFICER

at W.E. DONALDSON CORR. FAC. 100 WARRIOR LANE BESSEMER, ALA 35023

C. Additional Defendants OFFICER IRWIN AND OFFICER REED

ARE ALSO EMPLOYED AS CORRECTIONAL OFFICER AT W.E. DONALDSON
CORRECTIONAL FACILITY BESSEMER, ALABAMA 35023

IV. Statement of Claim

State here, as briefly as possible, the FACTS of your case. Describe how each defendant is involved. Include, also, the names of other persons involved, dates and places. *Do not give any legal arguments or cite any cases or statutes.* If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheet, if necessary.

On Monday September 5, 2016, Officer Gary, Irwin and Reed were assigned to Two[2] Block [A/B]. After the Ole Miss and Florida State Football game-All inmates were ordered to report to their assigned cell. Officer Gary conducted a bed roster count on B side.

At approximately 2:30 A.M. Tuesday September 6, 2016 Officer Irwin opened Cell B-2 which was assigned to and occupied by me Rickey Johnson, AIS 178913 and Matthew Barries, AIS#288567 for three[3] inmates known as "Big MOE" "DJ", and "BAM BAM". [Officer Irwin admitted to Lt. Thomas that he had in fact opened my door for these inmates but he had no ideal that they was going to robbed me].

Upon entering the cell, Big Moe, DJ and Bam Bam were brandishing prison made knives and ordered me, Rickey Johnson to get out of bed and "GIVE IT UP"[This mean-I was being robbed]. A struggle and fight ensued in which i Rickey Johnson was beaten and choked around my neck. I Rickey Johnson was choked so severely that I had to be transported to Brookwood Baptist Health Center. I was treated for a crush/swollen larynx that resulted in me being placed on a liquid diet of Ensures. My throat was swollen and I could not eat whole/solid food. After I had been choked unconscious-Varies items where stolen from me, inmate Rickey Johnson. These items where confiscated from another cell and returned to me later. See Johnson's Exhibits "A & B".

Officer Gary Irwin and Reed have a practice of allowing inmates to come out of their cell after lockdown and they have a practice of opening any cell for any inmate whether they are assigned to that cell or not.

Officer Gary, Irwin and Reed aforementioned practices shows a clear violation of ADOC Rules, Regulations and S.O.P. This practice is a deliberate indifference and or reckless disregard for my safety as well as the safety of others. Thus, violating my 8th Amendment Right To Be Free From Cruel And Unusual Punishment [Failure To Protect]

V. RELIEF

State briefly *exactly* what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Provide me with compensatory and punitive damages of \$250, 000.00 each for a total of \$500, 000.00. And any other relief the Court deem proper and just.

"I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 26, 2016
(date)

x Rickey Johnson

RICKEY JOHNSON, AIS#178913
W.E. DONALDSON CORR. FAC. B-2
100 WARRIOR LANE
BESSEMER, ALABAMA 35023

Signature(s)

JOHNSON'S EXHIBIT "A"

I Matthew Barrier on Monday nite 9.5.16 at approx. 10:30 pm the officer locked me and Mr. Johnson down in our cell B-02 after he checked us off for a bed roster. At approx 3:00am I awoke to see two inmates in my cell attacking and Chocking Mr. Johnson. One Inmate was behind Mr. Johnson on the floor holding him in a choke hold, while the other was going through his things. They keep asking him for his key to the lock on his storage box. They could not find it so they keep beatins and Chocking him. They told me to get down and find the key. When I located the key I got back on my bunk. They two inmates put Mr. Johnson's property in a bag and went to exit the cell but the door was locked. They hollered for an inmate on the floor to get the door rolled and when it opened they made Mr. Johnson exit with them. I stayed in the cell and after awhile the officers came and asked what happened, then left, Then Mr. Johnson came back

the bag of property the two inmates had taken." I declare under penalty of perjury that the foregoing is true and correct,
Executed on September 14 2016.

Matt Barrer AIS# 288567

JOHNSON'S EXHIBIT "B"

MARY DODSON, MD
2010 MEDICAL CENTER DR
HOMEWOOD, AL 35209
Phone Number: (205) 877-1138

JOHNSON, RICKEY L

Birthdate: [REDACTED] Sex: Male

Allergies: NKA

Pharmacist Please Note - Allergy list may be incompletePatient Address: 100 WARRIOR LN,
BESSEMER, AL 35023-7228Home Phone: (205) 436-3681
Work Phone

Prescription Details:

Date Issue: 09/06/2016

Rx: Naprosyn 375 mg oral tablet

SIG: 1 tab Oral BID PRN for pain

Dispense/Supply: 20(twenty) tab

Refills: 0

X: Electronically signed by: MARY DODSON, MD

Product Selection Permitted

X: 

Product Selection Permitted

Handwritten signature if required by state law

X: _____

Dispense As Written (Brand Necessary)

X: _____

Dispense As Written (Brand Necessary)

Handwritten signature if required by state law

Prescribed by: MARY DODSON, MD

License #: 17787

NPI #: 1417910068

Number of Drugs Prescribed: 1

Brookwood Medical Center
2010 Brookwood Medical Center Drive
Birmingham, AL 35209-6804
Phone: (205) 877-1930

Patient Education & Visit Summary

PERSON INFORMATION

Name: JOHNSON, RICKEY L

Address: 100 WARRIOR LN BESSEMER AL 35023-7228 **Phone:** (205) 436-3681

DOB: [REDACTED] **MRN:** 01407658 **Acct#:** 39794391

Arrival Time: 09/06/2016 12:00:00 **Discharge Time:**

VISIT INFORMATION

Presenting Complaint: Pt was strangled today approximately 0230, pt C/O difficulty swallowing, +LOC per pt. Pt appears in no respiratory distress.

Patient Diagnosis: Neck contusion

Primary Care Provider: PCP MD, NO

Primary Physician: DODSON MD, MARY R

Allergy Info: NKA

Discharge Location:

FOLLOW-UP WITH:

With:	Address:	When:
MARC ROUTMAN	2018 BWMC DR. POB 314 BIRMINGHAM, AL 35209 (205) 877-2950 Business (1)	Within 1-2 days

With:	Address:	When:
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NO PCP

6

Within 1-2 days

If you should have any difficulty making arrangements, please call the Emergency Department. If you have a problem and are not able to contact your primary care provider, you may return to the Emergency Department at any time.

PATIENT EDUCATION INFORMATION GIVEN:

BMC Blank Patient Education Template (CUSTOM)

IMMUNIZATIONS:**MAJOR TESTS AND PROCEDURES:****Laboratory Orders**

Name	Status
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BMP w/Ca-POC	Completed
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CBC w/auto Diff	Completed
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Radiology Orders

Name	Status
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CT Head or Brain W/O Contrast	Completed
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CT Soft Tissue Neck W/ Contrast	Completed
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XR Spine Cervical 4 or 5 Views	Completed
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Cardiology Orders

No cardiology orders were placed.

Name: JOHNSON, RICKEY L
MRN: 01407658

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09/06/2016 17:27:54

Order Name	Order Details
Discharge Patient	Discharge To: Home
	Discharge Diet: Resume Home Diet
	Discharge Activity: Resume Home Activity

MEDICATIONS:

Your discharge prescriptions may be printed, or transmitted electronically to the pharmacy. If there are any issues with your prescriptions, please call the Emergency Department. If you received a prescription for medication(s) today it is important that when you fill this you let the pharmacists know all the other medications that you are on and any allergies you might have. It is also important that you notify your follow-up physician of all your medication including the prescriptions you may receive today.

Additional Medications

Printed Prescriptions

acetaminophen-HYDROcodone (Hycet 7.5 mg-325 mg/15 mL oral solution) 7.5 mL, Oral, Every 6 hours scheduled, As Needed, for pain, Refills: 0

Last Dose Given _____ Take next dose _____

naproxen (Naprosyn 375 mg oral tablet) 1 tab, Oral, Twice daily, As Needed, for pain, Refills: 0

Last Dose Given _____ Take next dose _____

FINAL ACTIVE MEDICATION LIST:

We have provided this final list of active medications as a courtesy so that you can easily update your home records and provide to your physician(s). These are the only medications that you should be taking.

acetaminophen-HYDROcodone (Hycet 7.5 mg-325 mg/15 mL oral solution) 7.5 mL, Oral, Every 6 hours scheduled, As Needed, for pain, Refills: 0

naproxen (Naprosyn 375 mg oral tablet) 1 tab, Oral, Twice daily, As Needed, for pain, Refills: 0

Please review carefully and let us know if you have any questions or concerns. Take only the medications listed above. Contact your primary care provider prior to taking any medications NOT on this list.

MED LEAFLETS INFORMATION GIVEN:

MEDICATION LEAFLETS:

PATIENT EDUCATION INSTRUCTIONS:

ICE TO AREA; NAPROSYN WITH FOOD FOR MILD PAIN/HYCET FOR SEVERE PAIN.

FOLLOW UP WITH ENT, DR.ROUTMAN IF NOT IMPROVED IN 5 TO 7 DAYS.

X-RAYS and LAB TESTS:

If you had x-rays today they were read by the emergency physician. Your x-rays will also be read by a radiologist within 24 hours. If you had a culture done it will take 24 to 72 hours to get results. If there is a change in the x-ray diagnosis or a positive culture we will contact you. (Make sure we have your local phone number.)

Thank you for the opportunity to provide your emergency medical care. It is important you understand that emergency medical services are not a substitute for complete medical care.